

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE

UNITED STATES OF AMERICA)
)
v.) NO. 2:07-CR-105
)
JOHN FREDERICK UTESCH)

O R D E R

This criminal matter is before the Court to consider the Report and Recommendation of the United States Magistrate Judge dated February 14, 2008. In that Report and Recommendation, the Magistrate Judge recommends that the defendant' motion to dismiss the indictment, [Doc. 15], be denied. The defendant has filed a general objection to this recommendation, [Doc. 24], which states that "the defendant . . . objects to the Report and Recommendation . . . [and] relies upon the arguments made in his motion to dismiss indictment . . . and supplemental stipulation of facts." After careful and *de novo* consideration of the record as a whole and after careful consideration of the Report and Recommendation of the United States Magistrate Judge, and for the reasons set out in that Report and Recommendation

which are incorporated by reference herein, it is hereby **ORDERED** that the defendant's objection is **OVERRULED**, that this Report and Recommendation is **ADOPTED** and **APPROVED**, [Doc. 23], and that the motion to dismiss is **DENIED**, [Doc. 15].

E N T E R:

s/J. RONNIE GREER
UNITED STATES DISTRICT JUDGE